

THURSDAY, FEBRUARY 23, 2012

FIFTY-FIFTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Colonel Bill Lane, TN Civil Air Patrol, TN Wing Commander, TN.

Representative K. Brooks introduced CAP Cadet Breanna Elizabeth Melton who led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 98

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative L. DeBerry; personal

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 557 Rep(s). Evans as prime sponsor(s).

House Joint Resolution No. 667 Rep(s). Weaver, Hensley, Dean and P. Johnson as prime sponsor(s).

House Joint Resolution No. 684 Rep(s). Womick as prime sponsor(s).

4116

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 2229 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2321 Rep(s). Alexander, Bass, Parkinson, Marsh, Brown, Todd, Carr, Montgomery, Harrison, Ford, Roach, Weaver, Elam, Floyd, Dean, Favors, McManus, Halford, Moore, Shipley, Towns, Cobb, Maggart, Swann, Matheny, P. Johnson, Windle, Rich, Faison, Hensley, Lollar, Womick, Sparks, Eldridge, Wirgau, K. Brooks, Haynes, Hill, Sargent, H. Brooks, Lundberg, Coley, McCormick, L. Miller and B. Cooper as prime sponsor(s).

House Bill No. 2328 Rep(s). Roach, Ford, Harrison, Montgomery, Eldridge, Shaw, Sargent, Swann, R. Williams, Pody, Wirgau, Womick, H. Brooks, Holt, Butt, Todd, Faison, Ragan, Lollar, Forgety, White, McCormick, Evans, Parkinson, Halford, Powers and Sexton as prime sponsor(s).

House Bill No. 2369 Rep(s). Sparks, Womick, Forgety, Swann, Lollar, Naifeh, Fitzhugh, Eldridge, K. Brooks, Hurley, C. Johnson, Maggart, White, Rich, Niceley, Weaver, Dennis, R. Williams, Cobb, Hall, Favors, Halford, Carr, Shaw, Ford, Shipley, Shepard, Todd, Holt, B. Cooper, Powers, Floyd, Sexton, Brown, Matheny, Bass, Roach, Towns, Hensley, Elam, D. Miller, Wirgau, McManus, Montgomery, Alexander, Faison, L. Miller, Gotto, Harrison, Coley, Keisling, McDaniel, Sanderson, Camper, Parkinson and Haynes as prime sponsor(s).

House Bill No. 2409 Rep(s). Hardaway, Parkinson and B. Cooper as prime sponsor(s).

House Bill No. 2414 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2426 Rep(s). Haynes as prime sponsor(s).

House Bill No. 2456 Rep(s). Hardaway and McCormick as prime sponsor(s).

House Bill No. 2639 Rep(s). Gotto as prime sponsor(s).

House Bill No. 2653 Rep(s). Sexton, Hardaway and Parkinson as prime sponsor(s).

House Bill No. 2679 Rep(s). Casada as first prime sponsor(s).

House Bill No. 2729 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2789 Rep(s). Maggart as prime sponsor(s).

House Bill No. 2850 Rep(s). Carr as prime sponsor(s).

House Bill No. 2947 Rep(s). Shaw as prime sponsor(s).

House Bill No. 2974 Rep(s). Haynes, Dunn, Dean, Ramsey and Sargent as prime sponsor(s).

House Bill No. 3115 Rep(s). Richardson as prime sponsor(s).

House Bill No. 3200 Rep(s). B. Cooper, Towns and Parkinson as prime sponsor(s).

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 3224 Rep(s). Harmon, McDaniel, Eldridge, Tidwell, H. Brooks, Ragan, Lundberg, Powers, Campbell, Coley, Sanderson, Lollar, Naifeh, L. DeBerry, Fitzhugh, Towns, Camper, J. DeBerry, Parkinson, Ramsey, Forgety, Weaver, Harrison, Ford, Faison, Hall, Sexton, Hawk, Roach, Montgomery, Armstrong, Tindell, Windle, Swann, Niceley, Shipley, Holt, K. Williams, Favors, B. Cooper, Bass, Shaw, Dean, Sparks, Richardson, Hensley, Rich, L. Miller, Sontany, S. Jones and Matheny as prime sponsor(s).

House Bill No. 3266 Rep(s). Maggart as prime sponsor(s).

House Bill No. 3381 Rep(s). Armstrong as prime sponsor(s).

House Bill No. 3436 Rep(s). Harmon, Keisling, McDaniel, Eldridge, Tidwell, H. Brooks, Ragan, Lundberg, Hill, Powers, Campbell, Coley, Sanderson, Lollar, Naifeh, Fitzhugh, Towns, Camper, J. DeBerry, Parkinson, Hurley, Forgety, Matlock, Elam, Weaver, Harrison, Ford, Faison, Hall, Sexton, Hawk, Roach, Dunn, Montgomery, Armstrong, Tindell, Windle, Swann, Niceley, Shipley, K. Williams, Sontany, S. Jones, Shepard, Pitts, Gilmore, B. Cooper, Bass, Curtiss, Shaw, Dean, Sparks, J. Turner, Alexander, Richardson, Hensley, Rich and L. Miller as prime sponsor(s).

House Bill No. 3539 Rep(s). Lollar as prime sponsor(s).

House Bill No. 3559 Rep(s). Evans, Weaver, Matheny, Eldridge, Pody, Wirgau, Holt, Floyd, Shipley, Matlock, White, Ragan, Campbell, Butt, Halford, Keisling, Hill, Sanderson, Casada, Lollar, Hall, Gotto, Ford, Rich and Forgety as prime sponsor(s).

House Bill No. 3560 Rep(s). Evans, Eldridge, Faison, Weaver, Matheny, Pody, Wirgau, Tidwell, Holt, Floyd, Shipley, Ragan, Campbell, Butt, Keisling, Windle, Halford, Hill, Sanderson, Casada, Parkinson, Swann, Lollar, Alexander, Hall, Gotto, Ford, Forgety and Rich as prime sponsor(s).

House Bill No. 3660 Rep(s). McCormick as prime sponsor(s).

House Bill No. 3727 Rep(s). Gilmore, Harrison, McDaniel, Roach, Hawk, M. Turner, Towns, Tidwell, Shepard, Moore, Favors, Camper, Brown, Sontany, Shaw, L. Miller, Campbell, Haynes, Montgomery, K. Williams, Eldridge, Tindell, McDonald, Armstrong, Dean, Curtiss, J. DeBerry, Sanderson, Sargent and McCormick as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Keisling was/were removed as sponsor(s) of **House Bill No. 3381**.

**MESSAGE FROM THE SENATE
February 17, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 575, 576, 577, 590, 591 and 601; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
February 17, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 575, 576, 577, 590, 591 and 601.

**REPORT OF CHIEF ENGROSSING CLERK
February 21, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 600, 638, 639, 641, 644 and 682; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
February 21, 2012**

The Speaker announced that she had signed the following: House Bill(s) No(s). 2604.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
February 22, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2604; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
February 22, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 2604; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
February 22, 2012**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 600, 638, 639, 641, 644 and 682, with his approval.

HERBERT H. SLATERY, III, Counsel to the Governor

MESSAGE FROM THE SENATE
February 23, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2638; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
February 23, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 571, 585, 587, 588, 589, 592, 593, 594, 595, 596, 597, 598 and 600; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 571** -- Naming and Designating - "Youth Art Month" in Tennessee, March 2012. by *Massey, *Overbey, *Crowe, *Faulk, *Ford, *Marrero.

Senate Joint Resolution No. 585 -- Memorials, Recognition - Houston County Irish Celebration, 50th Anniversary. by *Barnes, *Kyle.

Senate Joint Resolution No. 587 -- Memorials, Death - Charles Evers. by *Henry.

Senate Joint Resolution No. 588 -- Memorials, Recognition - Edward Carmon Kerley. by *Ketron, *Tracy.

Senate Joint Resolution No. 589 -- Memorials, Recognition - 2011-2012 State FFA Officers. by *Burks, *Barnes, *Beavers, *Bell, *Berke, *Campfield, *Crowe, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Henry, *Herron, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *Massey, *McNally, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tracy, *Watson, *Yager, *Ramsey.

Senate Joint Resolution No. 592 -- Memorials, Death - Kenneth Field Gardner. by *Summerville, *Gresham.

Senate Joint Resolution No. 593 -- Memorials, Retirement - Ronnie L. White. by *Crowe.

Senate Joint Resolution No. 594 -- Memorials, Personal Occasion - James Edward "Ed" Westcott, 90th birthday. by *McNally, *Yager.

Senate Joint Resolution No. 595 -- Memorials, Retirement - Captain John Huffine. by *Southerland.

Senate Joint Resolution No. 596 -- Memorials, Sports - Greeneville High School girls' cross country team, TSSAA Class A/AA State Championship runners-up. by *Southerland, *Crowe.

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Joint Resolution No. 597 -- Memorials, Retirement - Captain Terry L. Webb. by *Southerland.

Senate Joint Resolution No. 598 -- Memorials, Sports - Greeneville High School boys' cross country team, TSSAA Class A/AA State champions. by *Southerland, *Crowe.

Senate Joint Resolution No. 600 -- Memorials, Personal Occasion - James Willis Ailshie, 100th birthday. by *Southerland, *Crowe.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Hawk, joined by members who served in the armed forces, was recognized in the Well for the purposes of honoring the memory of Calvin Ward, Medal of Honor recipient, and to introduce Connie Whaley, East Tennessee Regional Coordinator of the National Alliance of the Mentally Ill (NAMI), for remarks.

RESOLUTION READ

The Clerk read House Joint Resolution No. 663, previously adopted on February 16, 2012, honoring the memory of Medal of Honor recipient and Greene County native, Calvin Ward, reflecting upon his brave and meritorious service to his country during World War I.

House Joint Resolution No. 663 -- Memorials, Heroism - Calvin Ward, Medal of Honor recipient. by *Hawk, *Faison.

RECOGNITION IN THE WELL

Representatives Shaw, Johnnie Turner, Larry Miller, Parkinson, Favors, Armstrong and Gilmore, joined by the black caucus, were recognized in the Well for "Celebrating Black History: Reflecting on 'Social Justice'" and to introduce the Pearl Cohn Entertainment Magnet High School Choir. The Pearl Cohn Entertainment choir performed for the House.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Resolution No. 190 – Court Rules - Approves amendments and revisions to Tennessee rules of evidence. by *Watson.

House Judiciary Committee

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Resolution No. 191 -- Court Rules - Approves amendments and revisions to Tennessee rules of juvenile procedure. by *Watson

House Judiciary Committee

House Resolution No. 192 – Court Rules - Approves amendments and revisions to Tennessee rules of criminal procedure. by *Watson.

House Judiciary Committee

House Resolution No. 193 – Court Rules - Approves amendments and revisions to Tennessee rules of civil procedure. by *Watson.

House Judiciary Committee

House Resolution No. 194 – Court Rules - Approves amendments and revisions to Tennessee rules of appellate procedure. by *Watson.

House Judiciary Committee

***House Joint Resolution No. 690** -- General Assembly, Statement of Intent or Position - Requests speakers to initiate arrangements for meeting of the States of the Union for purpose of considering national debt. by *Swann.

House State and Local Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 27, 2012:

House Resolution No. 189 -- Memorials, Personal Achievement - Bradley Alan Northern, Eagle Scout. by *Elam.

House Resolution No. 196 -- Memorials, Academic Achievement - Mary Emma Birdsong, Salutatorian, Giles County High School. by *Bass.

House Resolution No. 197 -- Memorials, Academic Achievement - Allison Johnson, Valedictorian, Giles County High School. by *Bass.

House Joint Resolution No. 685 -- Memorials, Sports - Darrell Waltrip, NASCAR Hall of Fame. by *Sargent, *Casada.

House Joint Resolution No. 687 -- Memorials, Recognition - Steve Wilensky, Germantown Lions Club 2011 Citizen of the Year. by *McManus.

House Joint Resolution No. 688 -- Memorials, Sports - Hardin County High School Lady Tigers bowling team, 2012 State Champions. by *Dennis.

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 689 -- Memorials, Recognition - Cumberland County Fair, 2011 Champion of Champions. by *Sexton.

House Joint Resolution No. 691 -- Memorials, Death - Howard Richardson. by *DeBerry L.

House Joint Resolution No. 692 -- Memorials, Recognition - Perry County's Tennessee State Championship Catfish Cook-off. by *Tidwell.

House Joint Resolution No. 693 -- Memorials, Recognition - Ezra Fulkerson, Boys & Girls Club of Greater Kingsport 2012 Youth of the Year. by *Harrison.

House Joint Resolution No. 694 -- Memorials, Recognition - Frank Byrd. by *Harrison.

House Joint Resolution No. 695 -- Memorials, Recognition - John Rich. by *Shepard.

House Joint Resolution No. 696 -- Memorials, Professional Achievement - Scottie King, Law Enforcement Officer of the Year. by *McDonald, *Maggart.

House Joint Resolution No. 697 -- Memorials, Recognition - Betty Hawkins, Governor's Volunteer Stars Award. by *McDonald, *Maggart.

House Joint Resolution No. 699 -- Memorials, Recognition - Lewisburg Lions Club, 75th Diamond Anniversary. by *Bass.

House Joint Resolution No. 701 -- Memorials, Academic Achievement - Amanda Thompson, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 702 -- Memorials, Academic Achievement - Shelby Skelton, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 703 -- Memorials, Academic Achievement - Danyne Rhinehart, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 704 -- Memorials, Academic Achievement - Beverly Smith, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 705 -- Memorials, Academic Achievement - Miranda Skelton, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 706 -- Memorials, Academic Achievement - Casey Janelle McBrearty, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 707 -- Memorials, Academic Achievement - Elizabeth Vaughan, Salutatorian, Lewis County High School. by *Hensley.

House Joint Resolution No. 708 -- Memorials, Academic Achievement - Allison Henderson, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 709 -- Memorials, Academic Achievement - Sharon Criss, Top Ten, Lewis County High School. by *Hensley.

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 710 -- Memorials, Academic Achievement - Haylee Rae Trull, Valedictorian, Lewis County High School. by *Hensley.

House Joint Resolution No. 711 -- Memorials, Recognition - Fort Campbell Warrior Transition Battalion. by *Johnson C.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 27, 2012:

Senate Joint Resolution No. 585 -- Memorials, Recognition - Houston County Irish Celebration, 50th Anniversary. by *Barnes, *Kyle.

Senate Joint Resolution No. 587 -- Memorials, Death - Charles Evers. by *Henry.

Senate Joint Resolution No. 588 -- Memorials, Recognition - Edward Carmon Kerley. by *Ketron, *Tracy.

Senate Joint Resolution No. 589 -- Memorials, Recognition - 2011-2012 State FFA Officers. by *Burks, *Barnes, *Beavers, *Bell, *Berke, *Campfield, *Crowe, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Henry, *Herron, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *Massey, *McNally, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tracy, *Watson, *Yager, *Ramsey.

Senate Joint Resolution No. 592 -- Memorials, Death - Kenneth Field Gardner. by *Summerville, *Gresham.

Senate Joint Resolution No. 593 -- Memorials, Retirement - Ronnie L. White. by *Crowe.

Senate Joint Resolution No. 594 -- Memorials, Personal Occasion - James Edward "Ed" Westcott, 90th birthday. by *McNally, *Yager.

Senate Joint Resolution No. 595 -- Memorials, Retirement - Captain John Huffine. by *Southerland.

Senate Joint Resolution No. 596 -- Memorials, Sports - Greeneville High School girls' cross country team, TSSAA Class A/AA State Championship runners-up. by *Southerland, *Crowe.

Senate Joint Resolution No. 597 -- Memorials, Retirement - Captain Terry L. Webb. by *Southerland.

Senate Joint Resolution No. 598 -- Memorials, Sports - Greeneville High School boys' cross country team, TSSAA Class A/AA State champions. by *Southerland, *Crowe.

Senate Joint Resolution No. 600 -- Memorials, Personal Occasion - James Willis Ailshie, 100th birthday. by *Southerland, *Crowe.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3852 -- Oakdale - As introduced, subject to local approval, reduces size of Town of Oakdale board of aldermen from three to two beginning with the August 2014 election; requires the board to designate one board member as vice-mayor. - Amends Chapter 587 of the Private Acts of 1911; as amended and rewritten. by *Windle.

House Bill No. 3853 -- Bradley County - As introduced, subject to local approval, establishes a common-docket system in Bradley County. - Amends Chapter 17 of the Private Acts of 1955; as amended. by *Watson.

House Bill No. 3854 -- Maury County - As introduced, subject to local approval, authorizes remainder of proceeds from county wheel tax after all indebtedness for road paving projects has been paid, to be paid into the highway capital projects fund for highway and bridge capital projects. - Amends Chapter 119 of the Private Acts of 1995. by *Butt.

House Bill No. 3855 -- Rutherford County - As introduced, subject to local approval, removes requirement that persons be issued wheel tax decals for display on license plates as evidence of having paid such tax. - Amends Chapter 329 of the Private Acts of 1970; as amended. by *Sparks, *Womick, *Carr.

House Bill No. 3856 -- Maury County - As introduced, subject to local approval, authorizes remainder of proceeds from county wheel tax after all indebtedness for road paving projects has been paid, to be paid into the highway capital projects fund for highway and bridge capital projects. - Amends Chapter 119 of the Private Acts of 1995. by *Butt.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 884 -- Unemployment Compensation - As introduced, authorizes spouses of military members who leave employment due to military reassignment to qualify for unemployment benefits; requires that state pay such benefits and does not count against employer's experience rating. - Amends TCA Title 50, Chapter 7. by *Barnes, *Finney L, *Kyle, *Berke, *Burks, *Ford, *Harper, *Haynes, *Herron, *Marrero, *Overbey, *Stewart. (*HB984 by *Pitts, *Eldridge, *Hardaway)

Senate Bill No. 2213 -- Taxes, Franchise - As introduced, revises various provisions regarding the job tax credit given for new full-time employee jobs filled by a person with disabilities who is receiving state services directly related to such disabilities. - Amends TCA Section 67-4-2109(f). by *Norris, *Massey, *Overbey. (*HB2351 by *McCormick, *Haynes)

Senate Bill No. 2214 -- Banks and Financial Institutions - As introduced, authorizes commissioner of financial institutions to establish a fee by rule for conducting off-site investigation or examination of any mortgage lender, mortgage loan broker, mortgage loan servicer, or mortgage loan originator. - Amends TCA Title 45, Chapter 13. by *Norris. (*HB2352 by *McCormick, *Maggart)

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Bill No. 2215 -- Short Term Loans and Lenders - As introduced, revises various provisions governing deferred presentment services, including provisions regarding qualifications for licensure; authorizes commissioner of financial institutions to require persons subject to Deferred Presentment Services Act to be licensed through a multi-state automated licensing system. - Amends TCA Title 45, Chapter 17. by *Norris, *Ketron. (*HB2353 by *McCormick, *Johnson C)

Senate Bill No. 2242 -- Highways, Roads and Bridges - As introduced, revises provisions governing the distribution of utility relocation plans to utility owners. - Amends TCA Section 54-5-854. by *Norris, *Bell. (*HB2380 by *McCormick, *Weaver)

Senate Bill No. 2248 -- Probation and Parole - As introduced, transfers from board of probation and parole to department of correction certain functions relating to probation and parole services and the community correction grant program. - Amends TCA Title 4; Title 38; Title 39; Title 40; Title 41 and Title 55. by *Norris, *Faulk, *Yager, *Kelsey. (*HB2386 by *McCormick, *Haynes, *Fitzhugh)

***Senate Bill No. 2490** -- Municipal Government - As introduced, increases from \$300,000 to \$500,000 the maximum amount of revenue and debt a municipality may have in order to qualify to contract with a certified municipal finance officer (CMFO) or a qualified individual who is exempt from CMFO certification for financial oversight instead of employing a CMFO. - Amends TCA Title 6, Chapter 56, Part 4. by *Summerville. (HB2627 by *Wirgau)

Senate Bill No. 2561 -- Unemployment Compensation - As introduced, conforms language under the employment security law concerning amount of retainage by a contractor entering into a contract with the state or local governments to conform to 5 percent as authorized generally for contractors. - Amends TCA Title 50, Chapter 7, Part 4. by *Ketron, *Herron. (*HB2409 by *Curtiss, *Hardaway, *Parkinson, *Cooper B)

***Senate Bill No. 2647** -- Coon Dog Laws - As introduced, adds Morgan County to group of counties where the training season for coon dogs is at least six months, instead of having a training season from July 1 to the first day of the open season for hunting coons. - Amends TCA Title 70, Chapter 4, Part 1. by *Yager, *Barnes. (HB3048 by *Windle)

***Senate Bill No. 2798** -- Sunset Laws - As introduced, repeals the cemetery advisory board. - Amends TCA Title 4, Chapter 29 and Title 46, Chapter 1, Part 3. by *Bell. (HB3088 by *Cobb, *Shipley)

***Senate Bill No. 2829** -- Banks and Financial Institutions - As introduced, expands the definition of a domestic holding company, for purposes of organizing, owning or controlling as a credit card state bank, from a company meeting certain requirements to a company under common control with another company that meets said requirements; extends the effective date of such expanded definition from July 1, 2012, to July 1, 2014. - Amends TCA Title 45, Chapter 2, Part 19. by *Ketron. (HB3091 by *Sargent)

Senate Bill No. 3117 -- Alcoholic Beverages - As introduced, authorizes Norris Landing Marina in Claiborne County to be issued a license as a premier type tourist resort. - Amends TCA Section 57-4-102 and Section 57-4-102. by *Yager. (*HB2903 by *Sargent)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3849 -- Weakley County – House State and Local Government Committee

House Bill No. 3850 -- Greeneville – House State and Local Government Committee

House Bill No. 3851 -- Hamilton County -- House State and Local Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **February 21, 2012**, reported the following:

AGRICULTURE COMMITTEE

The Agriculture Committee recommended for passage: House Bill(s) No(s). 3156. Under the rules, each was transmitted to the Calendar and Rules Committee.

COMMERCE COMMITTEE

The Commerce Committee recommended for passage: House Bill(s) No(s). 3781 and 2913, also House Bill(s) No(s). 2612 and House Joint Resolution(s) No(s). 614 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSUMER AND EMPLOYEE AFFAIRS COMMITTEE

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 3428. Under the rules, each was transmitted to the Calendar and Rules Committee.

EDUCATION COMMITTEE

The Education Committee recommended for passage: House Bill(s) No(s). 3323 and 2789, also House Bill(s) No(s). 3266 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3665 and 3456, also House Bill(s) No(s). 2663 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS COMMITTEE

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 3010, 3008, 2174, 2398, 2794, 2427, 2833, 2428, 1185, 2455 and 2380, also House Bill(s) No(s). 1000, 2231 and 2381 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

JUDICIARY COMMITTEE

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2750, 2751, 2853, 2752, 3237, 2936 and 2656, also House Bill(s) No(s). 2858 and 2834 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2626 and 2854 also House Bill(s) No(s). 2749 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT COMMITTEE

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 3067, 3840 and 3009. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2426, also House Bill(s) No(s). 3039 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

TRANSPORTATION COMMITTEE

The Transportation Committee recommended for passage: House Bill(s) No(s). 2886, 2734 and 3057 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2998, 3362, 3373 and 2631, also House Bill(s) No(s). 2296 and 3481 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **February 22, 2012**, reported the following:

CONSERVATION AND ENVIRONMENT COMMITTEE

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 2395. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Committee also transmitted the following bill(s) to the Government Operations Committee for review: House Bill(s) No(s). 2776 with amendments.

GOVERNMENT OPERATIONS COMMITTEE

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2511 and 3555, also House Bill(s) No(s). 2516, 2506, 3546, 3547 and 3553 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

HEALTH AND HUMAN RESOURCES COMMITTEE

The Health and Human Resources Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3446. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **February 23, 2012**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **February 27, 2012**: House Bill(s) No(s). 2734, 2398, 1000, 2913, 2656, 2936, 2236, 2878, 2793, 2886, 2428 and 2429.

The Committee also set the following bill(s) on the **Regular Calendar** for **March 1, 2012**: House Bill(s) No(s). 2174, 2853, 2858, 3266, 3323, 2381, 2231, 2794, 3781, 2612 and 1185.

It further reports that it set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **February 27, 2012**: House Bill(s) No(s). 2561, 2547, 2395, 2833, 2455 and 2490.

CONSENT CALENDAR

***House Bill No. 2369** -- Holidays and Days of Special Observance - As introduced, designates March 3 of each year to be observed as "Tennessee National Guard Day." - Amends TCA Title 15, Chapter 2. by *McCormick, *Ragan, *Evans.

On motion, House Bill No. 2369 was made to conform with **Senate Bill No. 2231**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2367** -- Mental Health, Dept. of - As introduced, changes the name of the department to the "department of mental health and substance abuse services." - Amends TCA Title 2; Title 3; Title 4; Title 8; Title 12; Title 33; Title 36; Title 37; Title 39; Title 40; Title 41; Title 45; Title 49; Title 50; Title 53; Title 55; Title 56; Title 57; Title 63; Title 67; Title 68 and Title 71. by *McCormick, *Weaver, *Richardson, *Favors.

On motion, House Bill No. 2367 was made to conform with **Senate Bill No. 2229**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 561** -- General Assembly, Confirmation of Appointment - Lonnie E. Roberts, State Board of Education. by *Butt, *Naifeh.

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 2475** -- Highway Signs - As introduced, designates segment of State Route 235 in Dickson County to honor the late Deputy Sheriff Richard Keith Bellar. by *Shepard.

***House Bill No. 2477** -- Highway Signs - As introduced, names bridge in Dickson County in honor of the late Lt. Col. Malcolm Glenn Hicks, USAF. by *Shepard.

***House Joint Resolution No. 564** -- General Assembly, Confirmation of Appointment - Carolyn Pearre, State Board of Education. by *Gotto.

***House Bill No. 2407** -- Funeral Directors and Embalmers - As introduced, extends the date from December 31, 2010, to June 30, 2011, for apprentices and mortuary school students to complete all requirements to become licensed by the board as a funeral director or embalmer. - Amends TCA Section 62-5-312. by *Ford.

House Bill No. 2336 -- Comptroller, State - As introduced, changes references from "county audit division" to "comptroller of the treasury" and "department of audit" in provisions regarding judicial information system advisory committee members; the county financial management system; and audits of the solid waste authority. - Amends TCA Title 5; Title 16 and Title 68. by *Keisling.

On motion, House Bill No. 2336 was made to conform with **Senate Bill No. 2197**; the Senate Bill was substituted for the House Bill.

House Bill No. 2540 -- Sunset Laws - As introduced, extends the state board for alarm systems contractors, June 30, 2016. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 32. by *Cobb, *Shipley, *Rich.

House Bill No. 3089 -- Sunset Laws - As introduced, creates sunrise provision for the interstate nurse licensure compact, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 7, Part 3. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 3089 was made to conform with **Senate Bill No. 2799**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 559** -- General Assembly, Confirmation of Appointment - Michael Edwards, State Board of Education. by *Niceley, *Montgomery.

***House Bill No. 2804** -- Highway Signs - As introduced, includes I-26 in Unicoi County within Purple Heart Trail. - Amends Chapter 741 of the Public Acts of 2006 and Chapter 767 of the Public Acts of 2004. by *Hawk.

On motion, House Bill No. 2804 was made to conform with **Senate Bill No. 2752**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2223** -- Statutes and Codification - As introduced, codifies the Acts of the 2011 legislative session. by *McCormick.

On motion, House Bill No. 2223 was made to conform with **Senate Bill No. 2183**; the Senate Bill was substituted for the House Bill.

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 3135 -- Motor Vehicles - As introduced, clarifies that certain trailers and semitrailers used in transporting rolled hay bales, rather than rolled alfalfa bales, are exempt from maximum width and height requirements for motor and other vehicles. - Amends TCA Section 55-7-202. by *Johnson P.

***House Joint Resolution No. 568** -- General Assembly, Confirmation of Appointment - Craig V. Powers, Board of Directors of Tennessee Education Lottery Corporation. by *McManus.

House Bill No. 2500 -- Graysville - As introduced, subject to local approval, requires the mayor of Graysville be elected on a ballot separate from that of candidates for commissioner. - Amends Chapter 230 of the Private Acts of 1992; as amended. by *Cobb.

House Bill No. 2507 -- Sunset Laws - As introduced, extends the department of children's services, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 37, Chapter 5. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 2507 was made to conform with **Senate Bill No. 2315**; the Senate Bill was substituted for the House Bill.

House Bill No. 2532 -- Sunset Laws - As introduced, extends the Tennessee higher education commission, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 7. by *Cobb, *Shipley, *Rich.

House Bill No. 3088 -- Sunset Laws - As introduced, repeals the cemetery advisory board. - Amends TCA Title 4, Chapter 29 and Title 46, Chapter 1, Part 3. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 3088 was made to conform with **Senate Bill No. 2798**; the Senate Bill was substituted for the House Bill.

***House Bill No. 3080** -- Sunset Laws - As introduced, creates sunrise provision for economic council on women with a termination date of June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 50, Part 1. by *Cobb, *Shipley.

House Bill No. 2682 -- Highway Signs - As introduced, names bridge on S.R. 99 in Rutherford County in honor of late Lance Corporal Justin Kyle Lewter. by *Womick.

***House Joint Resolution No. 535** -- Naming and Designating - "Certified Government Financial Manager Month," March 2012. by *Curtiss.

House Bill No. 2397 -- Comptroller, State - As introduced, provides for electronic, in addition to telephonic, notifications under the Advocacy for Honest and Appropriate Government Spending Act. - Amends TCA Title 8, Chapter 4, Part 4. by *Elam.

House Bill No. 2756 -- Special License Plates - As introduced, authorizes issuance of special license plates for concerns of police survivors (COPS). - Amends TCA Title 55, Chapter 4. by *Elam, *Eldridge, *Weaver, *Floyd, *Powers.

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Joint Resolution No. 202** -- Memorials, Congress - Expresses support for continued federal funding of Erwin and Dale Hollow National Fish Hatcheries. by *Keisling, *Hawk, *Williams K, *McDonald.

House Bill No. 2588 -- Highway Signs - As introduced, names bridge on S.R. 7 in Maury County in honor of the late John Newton Woody. by *Butt.

On motion, House Bill No. 2588 was made to conform with **Senate Bill No. 2296**; the Senate Bill was substituted for the House Bill.

***House Bill No. 3200** -- Capitol - As introduced, authorizes secretary of state to produce a virtual tour of the state capitol, capitol annexes and grounds and to publish the virtual tour on the web sites of the general assembly and secretary of state; authorizes secretary of state to distribute the virtual tour on electronic media, through the state library and archives, to public and private K-12 schools. - Amends TCA Section 4-8-101. by *Coley, *Hurley.

On motion, House Bill No. 3200 was made to conform with **Senate Bill No. 3194**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 563** -- General Assembly, Confirmation of Appointment - George P. Jaynes, Tennessee ethics commission. by *Ford.

***House Bill No. 2415** -- Education - As introduced, continues the career and technical class size extension pilot project in the Metro Nashville public schools; provides that the pilot shall only be used in schools or programs implementing the career academy or small learning community model. - Amends TCA Title 49, Chapter 1, Part 1. by *Gilmore.

On motion, House Bill No. 2415 was made to conform with **Senate Bill No. 2883**; the Senate Bill was substituted for the House Bill.

***House Resolution No. 166** -- General Assembly, Statement of Intent or Position - Commends Taiwan for its relations with the United States and Tennessee. by *Brooks H, *Matheny, *William K, *Dunn, *Todd.

***House Joint Resolution No. 557** -- Memorials, Recognition - Recognizes installation of signage, seal, and motto at Arzo Carson TBI State Office Building; honors donors for signage; provides for maintenance of certain legislation at such building. by *Montgomery, *Naifeh.

House Bill No. 2937 -- Banks and Financial Institutions - As introduced, allows securities or investment accounts held by bank trust departments to have a payable on death designated beneficiary. - Amends TCA Title 35, Chapter 12. by *Sexton, *Fitzhugh, *Marsh.

On motion, House Bill No. 2937 was made to conform with **Senate Bill No. 2702**; the Senate Bill was substituted for the House Bill.

House Bill No. 2598 -- Special License Plates - As introduced, authorizes issuance of new specialty earmarked license plates for East Tennessee Children's Hospital; and allocates 50 percent of the proceeds from such plates to the hospital. - Amends TCA Title 55, Chapter 4. by *Haynes.

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 2609** -- Highway Signs - As introduced, names bridge in Sullivan County in honor of the late Richard Lee Edwards, Sr. by *Campbell, *Shipley, *Lundberg.

On motion, House Bill No. 2609 was made to conform with **Senate Bill No. 2477**; the Senate Bill was substituted for the House Bill.

House Joint Resolution No. 684 -- Memorials, Recognition - Hannah Wright, Prudential Spirit of Community Award recipient. by *Carr.

Senate Joint Resolution No. 580 -- Memorials, Professional Achievement - John Black, 2011 General Aviation Airport Manager of the Year for the FAA Southern Region Airports Division. by *Ketron, *Tracy, *Gresham, *Stewart.

Senate Joint Resolution No. 581 -- Memorials, Recognition - NAMI Tennessee's Multicultural All in the Family Summit 2012. by *Henry, *Finney L, *Herron, *Marrero, *Tracy, *Yager.

Senate Joint Resolution No. 582 -- Memorials, Recognition - Clay County 2011 Fair, Division "A" Most Improved 2011 Fair Season Award. by *Beavers.

Senate Joint Resolution No. 583 -- Memorials, Retirement - Ron Bennett. by *Crowe, *Massey.

Senate Joint Resolution No. 599 -- Memorials, Retirement - Joan Cronan. by *Massey, *Haynes, *Herron, *Barnes, *Beavers, *Bell, *Berke, *Burks, *Campfield, *Crowe, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Henry, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *McNally, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tate, *Tracy, *Watson, *Yager, *Ramsey.

Rep. H. Brooks moved that the Knox County delegation be added as co-prime sponsors on Senate Joint Resolution No. 599, which motion prevailed.

Rep. Haynes moved that all members voting aye on Senate Joint Resolution No. 599 be added as co-prime sponsors, with the Knox County delegation listed first, followed by Reps. Naifeh and Fitzhugh, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

OBJECTION--CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 2477: by Rep. Shepard

Under the rules, House Bill No. 2477 was placed at the heel of the Calendar for February 27, 2012.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 93
Noes..... 3
Present and not voting..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

Representatives voting no were: Moore, Stewart, Turner M -- 3

Representatives present and not voting were: Sontany -- 1

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 2356** -- Public Contracts - As introduced, revises requirements for amounts of goods or services that may be procured without requisitioning through the department of general services or for contracts that may be entered into without approval of certain government officials; permits competitive negotiations on certain contracts upon approval by the chief procurement officer. - Amends TCA Title 12, Chapter 3 and Title 12, Chapter 4. by *McCormick, *Johnson C, *Hardaway, *Parkinson. (SB2218 by *Norris, *Ketron)

Further consideration of House Bill No. 2356 previously considered on February 9, 2012, at which time it was reset for today's Calendar.

Rep. C. Johnson moved that House Bill No. 2356 be reset for the Regular Calendar on February 27, 2012, which motion prevailed.

House Bill No. 2496 -- Comptroller, State - As introduced, removes references to the office of the comptroller of the treasury in connection with the judicial cost accountant. - Amends TCA Title 8 and Title 24. by *Dennis. (*SB2383 by *Bell)

Rep. Dennis moved that House Bill No. 2496 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2496 By deleting the language "of the office" in Sections 3 and 4 and by substituting instead the language "in the office".

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Dennis moved that **House Bill No. 2496**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

***House Bill No. 2850** -- Fireworks - As introduced, revises the population figures from any county in excess of 200,000 in the present law to any county in excess of 335,000 based on the recent federal census which effectively means fireworks cannot be sold within the four largest counties; a conforming change removes language from the current law which would have permitted any county to continue selling fireworks if its population grew past 200,000 an exemption which applied to Rutherford County; such language is no longer necessary with the increased population to 335,000. - Amends TCA Section 68-104-112. by *Womick, *Sparks. (SB2710 by *Ketron)

Rep. Womick moved that **House Bill No. 2850** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0
Present and not voting..... 2

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart,

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Swann, Tidwell, Tindell, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives present and not voting were: Todd, Towns -- 2

A motion to reconsider was tabled.

House Bill No. 2729 -- Safety, Dept. of - As introduced, directs the department to conduct a study of motorcycle passenger safety, emphasizing the safety of motorcycle riders and passengers under 18, and report its results and recommendations to the house and senate transportation committees by February 1, 2013. - Amends TCA Title 55. by *Pitts. (*SB2529 by *Barnes)

Rep. Pitts moved that House Bill No. 2729 be passed on third and final consideration.

Rep. P. Johnson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2729 By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1.

(a) The general assembly finds the safety of motorcycle passengers to be a concern and the safety of young motorcycle riders and passengers to be of particular interest. Although the department of safety and homeland security offers a motorcycle rider education program, such program is not mandatory.

(b) Many young persons under the age of eighteen (18) overestimate their driving skills and reactions and underestimate the challenges and dangers of motorcycles, including the attitude and behavior of drivers of cars, trucks, and tractor trailers toward motorcycles. The department shall review current safety standards applicable to motorcycles, compile statistics relative to motorcycle crashes, injuries and deaths in this state, identify patterns and trends of motorcycle crashes, the impact of motorcycle crashes, and other relevant information. The department shall pay particular attention to statistics pertaining to motorcycle riders and passengers who are eighteen (18) years and younger.

(c) The department shall coordinate with motorcycle organizations to develop recommendations to increase the safety of motorcycle passengers under the age of eighteen (18). The department shall solicit assistance from the Motorcycle Safety Foundation and the National Association of State Motorcycle Safety Administration (SMSA), among other motorcycle organizations, for assistance in researching, evaluating, and proposing solutions to improve motorcycle passenger safety.

(d) The department shall report its recommendations, including any proposed legislation, to enhance motorcycle passenger safety of motorcycle

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

passengers under the age of eighteen (18) to the senate transportation and safety committee and the house of representatives transportation committee by October 1, 2012.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. C. Johnson moved the previous question, which motion prevailed.

Rep. Pitts moved that **House Bill No. 2729**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives voting no were: Hall -- 1

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative D. Miller;

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "present and not voting" to "aye" on **House Bill No. 2729** and have this statement entered in the Journal: Rep(s). Naifeh.

REGULAR CALENDAR, CONTINUED

House Bill No. 2744 -- Child Custody and Support - As introduced, amends the Criminal Injuries Compensation Fund to provide an attachment or lien on the judgment to satisfy child support arrearages. - Amends TCA Title 29, Chapter 13. by *Pitts, *Hurley. (*SB2569 by *Barnes)

Rep. Pitts moved that **House Bill No. 2744** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 2409** -- Unemployment Compensation - As introduced, conforms language under the employment security law concerning amount of retainage by a contractor entering into a contract with the state or local governments to conform to 5 percent as authorized generally for contractors. - Amends TCA Title 50, Chapter 7, Part 4. by *Curtiss. (SB2561 by *Ketron, *Herron)

On motion, House Bill No. 2409 was made to conform with **Senate Bill No. 2561**; the Senate Bill was substituted for the House Bill.

Rep. Curtiss moved that Senate Bill No. 2561 be passed on third and final consideration.

Rep. McManus moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Curtiss moved that **Senate Bill No. 2561** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley,

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Johnson C, Johnson P, Jones, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 2947** -- Cemeteries - As introduced, exempts from income taxes the income from trust funds for perpetual care of a cemetery. - Amends TCA Title 67. by *Williams K, *Hurley. (SB3539 by *Crowe)

Rep. K. Williams moved that **House Bill No. 2947** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

Representatives present and not voting were: Hill -- 1

A motion to reconsider was tabled.

House Bill No. 2802 -- Consumer Protection - As introduced, authorizes a mattress manufacturer, wholesaler or retailer to offer a comfort exchange policy pursuant to the sale of a mattress; includes a mattress returned pursuant to such a policy in definition of secondhand. - Amends TCA Title 47, Chapter 18, Part 1 and Title 68, Chapter 15, Part 2. by *Brooks K. (*SB2644 by *Bell)

On motion, House Bill No. 2802 was made to conform with **Senate Bill No. 2644**; the Senate Bill was substituted for the House Bill.

Rep. K. Brooks moved that Senate Bill No. 2644 be passed on third and final consideration.

Rep. McCormick moved the previous question, which motion prevailed.

**THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

Rep. K. Brooks moved that **Senate Bill No. 2644** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

***House Bill No. 2345** -- Public Records - As introduced, classifies as confidential the due diligence materials submitted by a company to the department of economic and community development; confidentiality applies until such time as the provider of the material no longer requires its confidentiality. - Amends TCA Section 4-3-730. by *McCormick, *Brooks K. (SB2207 by *Norris, *Watson)

Rep. K. Brooks moved that House Bill No. 2345 be reset for the Regular Calendar on March 1, 2012, which motion prevailed.

***House Bill No. 2321** -- State Government - As introduced, provides for the designation of the Tennessee Day of Prayer as the first Thursday in May of each calendar year. - Amends TCA Title 4. by *Pody, *Williams R, *Butt, *Forgety, *Sexton, *Powers, *Ragan, *Hall, *White, *Hurley, *Evans. (SB2516 by *Beavers, *Barnes, *Burks, *Roberts)

On motion, House Bill No. 2321 was made to conform with **Senate Bill No. 2516**; the Senate Bill was substituted for the House Bill.

Rep. Pody moved that **Senate Bill No. 2516** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson,

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 2456** -- Guardianship - As introduced, authorizes a senior psychological examiner to provide an examination and sworn report to a court concerning conservatorship. - Amends TCA Title 34 and Title 63. by *Gotto. (SB2398 by *Haynes)

Rep. Gotto moved that **House Bill No. 2456** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

Representatives voting no were: Hensley -- 1

A motion to reconsider was tabled.

***House Bill No. 2632** -- Hospitals and Health Care Facilities - As introduced, revises the requirements for a nursing home's certificate of need for qualified partial relocation of certain nursing homes. - Amends TCA Title 68, Chapter 11, Part 16. by *Gotto, *Turner M. (SB2553 by *Ketrone)

Rep. Gotto moved that **House Bill No. 2632** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson,

**THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

***House Bill No. 2376** -- Driver Licenses - As introduced, establishes that the submission of certain documents is considered compliance with certain requirements for reinstatement of driver license. - Amends TCA Section 55-50-321(c). by *McCormick, *Gotto. (SB2238 by *Norris, *Southerland)

Rep. Gotto moved that **House Bill No. 2376** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 2683** -- Landlord and Tenant - As introduced, limits application of the Uniform Residential Landlord and Tenant Act to counties having a population of more than 75,000 instead of 68,000; change does not affect the current applicability of the Act. - Amends TCA Section 66-28-102. by *Williams R, *Faison, *Sexton, *Hawk. (SB2610 by *Burks)

Rep. R. Williams moved that **House Bill No. 2683** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	73
Noes.....	13
Present and not voting.....	6

Representatives voting aye were: Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, DeBerry J, Dennis, Dunn, Elam, Eldridge, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Montgomery, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks,

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Swann, Todd, Towns, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 73

Representatives voting no were: Armstrong, Favors, Fitzhugh, Hardaway, Lundberg, McDonald, Miller L, Moore, Richardson, Shaw, Stewart, Tindell, Turner M -- 13

Representatives present and not voting were: Alexander, Brown, Camper, Dean, Evans, Tidwell -- 6

A motion to reconsider was tabled.

***House Bill No. 2229** -- Education - As introduced, requires high schools to forward vaccination records to higher education institution on behalf of dual enrollment student upon request of the student's parent or guardian; authorizes commissioner of education to promulgate rules to implement this act. - Amends TCA Title 49 and Title 68, Chapter 5. by *Hurley, *Pody, *Williams R, *Sexton, *Wirgau, *Powers, *Ragan, *Hall, *White. (SB2646 by *Yager)

Rep. Hurley moved that House Bill No. 2229 be passed on third and final consideration.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2229 by deleting the word "commissioner" in subsection (b) of SECTION 1 of the bill and by substituting instead the language "state board of education".

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Hurley moved that **House Bill No. 2229**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

**THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

***House Bill No. 2414** -- Education, Curriculum - As introduced, requires the office of research and education accountability and the department of health to do studies on AIDS curricula; requires department to survey other state health departments' AIDS public outreach and education programs. - Amends TCA Title 49. by *Gilmore, *Hardaway. (SB2506 by *Marrero)

Rep. Gilmore moved that House Bill No. 2414 be passed on third and final consideration.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2414 By deleting the language "AIDS" wherever it appears in Section 1 and Section 2 of the bill and by substituting instead the language "HIV/AIDS".

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Gilmore moved that **House Bill No. 2414**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0
Present and not voting.....	3

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Womick, Madam Speaker Harwell -- 93

Representatives present and not voting were: Casada, Hurley, Powers -- 3

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

***House Joint Resolution No. 602** -- General Assembly, Statement of Intent or Position - Expresses need to expand postsecondary credit-earning opportunities for high school students and urges state education agencies to provide assistance to any organizations conducting a statewide study of the issue. by *Brooks H, *McCormick, *Eldridge, *Forgety, *Brooks K, *Turner M, *Ford.

Rep. H. Brooks moved that House Joint Resolution No. 602 be reset for the Regular Calendar on February 27, 2012, which motion prevailed.

***House Bill No. 2196** -- Beer - As introduced, restores language to clarify that the governmental entity, committee or board that issues a beer permit or license is the governmental entity to revoke or suspend such permit or license. - Amends TCA Section 57-5-108. by *Ramsey. (SB2532 by *Yager)

Rep. Ramsey moved that **House Bill No. 2196** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Brown, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives present and not voting were: Bass, Butt -- 2

A motion to reconsider was tabled.

House Bill No. 2335 -- Privacy, Confidentiality - As introduced, classifies as a confidential record the emergency contact information for any state, county, municipal or other public employee or former employee, or of any law enforcement officer in the employ of a public college or university. - Amends TCA Title 10, Chapter 7. by *Ramsey. (*SB2198 by *Yager)

On motion, House Bill No. 2335 was made to conform with **Senate Bill No. 2198**; the Senate Bill was substituted for the House Bill.

Rep. Ramsey moved that **Senate Bill No. 2198** be passed on third and final consideration, which motion prevailed by the following vote:

**THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 2378** -- TennCare - As introduced, revises various provisions of the Medicaid False Claims Act. - Amends TCA Title 71, Chapter 5. by *McCormick, *Ramsey. (SB2240 by *Norris, *Crowe)

Rep. Ramsey moved that House Bill No. 2378 be passed on third and final consideration.

Rep. Casada moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2378 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 71-5-183(h)(2), is amended by deleting the language “ten thousand dollars (\$10,000)” and by substituting instead the language “twenty five thousand dollars (\$25,000)”.

On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

Rep. Casada moved adoption of Health and Human Resources Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2378 By deleting the directory language of Section 4 in its entirety and by substituting instead the following language:

SECTION 4. Tennessee Code Annotated Section 71-5-182, is amended by adding the following language as a new subsection (e):

On motion, Health and Human Resources Committee Amendment No. 2 was adopted.

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Ramsey moved that **House Bill No. 2378**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on **House Bill No. 2378** and have this statement entered in the Journal: Rep(s). Hill.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2653** -- Education - As introduced, classifies schools teaching high school courses in grades 7 or 8 as secondary schools. - Amends TCA Title 49, Chapter 4; Title 49, Chapter 5 and Title 49, Chapter 6. by *Hawk. (SB2579 by *Southerland)

Rep. Hawk moved that House Bill No. 2653 be passed on third and final consideration.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2653 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-301(a), is amended by deleting the language "kindergarten through grade eight (K-8)" and by substituting instead the language "kindergarten through grade six (K-6)".

SECTION 2. Tennessee Code Annotated, Section 49-6-301(b), is amended by deleting the word "elementary".

SECTION 3. Tennessee Code Annotated, Section 49-6-301, is amended by adding the following language as a new, appropriately designated subsection:

() "Elementary and secondary" and "elementary or secondary" include elementary, middle and high school grades.

SECTION 4. Tennessee Code Annotated, Title 49, Chapter 6, Part 4, is amended by adding the following language as a new section:

49-6-410. "Secondary education" means education normally available and required by state standards to be taught to children enrolled in grades seven through twelve (7-12). A secondary school is a school that provides secondary education.

SECTION 5. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Hawk moved that **House Bill No. 2653**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "present and not voting" to "aye" on **House Bill No. 2196** and have this statement entered in the Journal: Rep(s). Butt.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2328** -- Teachers, Principals and School Personnel - As introduced, requires local board of education to consider a transferring teacher's evaluations from a prior LEA in making tenure decisions; allows the local board to shorten the probationary period for a teacher transferring into the LEA under certain circumstances. - Amends TCA Section 49-1-302 and Title 49, Chapter 5. by *Hawk. (SB2578 by *Southerland)

Rep. Hawk moved that House Bill No. 2328 be passed on third and final consideration.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2328 By deleting subsection (a) in Section 1 of the bill and replacing it with the following language:

(a) If a teacher transfers from one LEA in this state to another LEA, the LEA from which the teacher transfers shall send to the LEA to which the teacher transfers the results of the teacher's last five (5) evaluations or the results of all evaluations, if fewer than five (5) are available.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Pitts moved the previous question, which motion prevailed.

Rep. Hawk moved that **House Bill No. 2328**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97

Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 660 -- Memorials, Recognition - Bishop Vashti Murphy McKenzie. by *DeBerry L, *Gilmore.

Rep. Gilmore moved that House Joint Resolution No. 660 be reset for the Regular Calendar on February 27, 2012, which motion prevailed.

UNFINISHED BUSINESS

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on February 27, 2012:

House Bill No. 2638: by Rep. Watson

BILLS WITHDRAWN

On motion of Rep. Carr, **House Bill No. 2471** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Carr, **House Bill No. 2472** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Carr, **House Bill No. 2473** was recalled from the State and Local Government Committee and withdrawn from the House.

On motion of Rep. Carr, **House Bill No. 2676** was recalled from the State and Local Government Committee and withdrawn from the House.

On motion of Rep. Todd, **House Bill No. 2956** was recalled from the Education Committee and withdrawn from the House.

On motion of Rep. Todd, **House Bill No. 3143** was recalled from the Commerce Committee and withdrawn from the House.

BILLS RE-REFERRED

Rep. McCormick moved that **House Bill No. 2918** be re-referred from the Finance, Ways and Means Committee to the Government Operations Committee, which motion prevailed.

BILLS WITHDRAWN

On motion of Rep. Hurley, **House Bill No. 3236** was recalled from the Transportation Committee and withdrawn from the House.

On motion of Rep. Butt, **House Bill No. 3854** was withdrawn from the House.

4150

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

On motion of Rep. Matlock, **House Joint Resolution No. 686** was withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 602 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 984 Rep(s). Eldridge as second prime sponsor(s).

House Bill No. 984 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 1954 Rep(s). Matlock as first prime sponsor(s).

House Bill No. 2356 Rep(s). Curtiss as prime sponsor(s).

House Bill No. 2936 Rep(s). McDaniel, Harrison and Rich as prime sponsor(s).

House Bill No. 3009 Rep(s). Evans as prime sponsor(s).

House Bill No. 3195 Rep(s). Matheny as prime sponsor(s).

House Bill No. 3214 Rep(s). Montgomery as prime sponsor(s).

House Bill No. 3399 Rep(s). Fitzhugh as prime sponsor(s).

House Bill No. 3436 Rep(s). Matheny as prime sponsor(s).

House Bill No. 3550 Rep(s). Gilmore as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Montgomery was/were removed as sponsor(s) of **House Bill No. 1954**.

On motion, Rep(s). H. Brooks was/were removed as sponsor(s) of **House Bill No. 2771**.

**MESSAGE FROM THE SENATE
February 23, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2315 and 3194; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Bill No. 2315** -- Sunset Laws - As introduced, extends the department of children's services, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 37, Chapter 5. by *Bell. (HB2507 by *Cobb, *Shipley, *Rich)

Senate Bill No. 3194 -- Capitol - As introduced, authorizes secretary of state to produce a virtual tour of the state capitol, capitol annexes and grounds and to publish the virtual tour on the web sites of the general assembly and secretary of state; authorizes secretary of state to distribute the virtual tour on electronic media, through the state library and archives, to public and private K-12 schools. - Amends TCA Section 4-8-101. by *Yager, *Overbey, *Burks, *Faulk, *Gresham, *Massey. (*HB3200 by *Coley, *Hurley, *Cooper B, *Towns, *Parkinson)

**MESSAGE FROM THE SENATE
February 23, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2545, 2405 and 2665; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
February 23, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2397 and 3080.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
February 23, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 581; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
February 23, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 581.

**ENGROSSED BILLS
February 23, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2653; and House Joint Resolution(s) No(s). 202, 535, 557, 559, 561, 563, 564, 568 and 684.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
February 23, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 465, 524, 2159, 2170 and 2255; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 23, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 642, 646, 647, 648, 650, 651, 654, 655, 656, 657, 658, 659, 661, 663, 665, 666, 668, 669, 671, 672, 673, 674, 675, 676, 677, 678, 680, 681 and 683; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
February 23, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2196, 2229, 2328, 2376, 2378, 2407, 2414, 2456, 2475, 2496, 2500, 2532, 2540, 2598, 2632, 2682, 2683, 2729, 2744, 2756, 2850, 2947 and 3135.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
February 23, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2397; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 23, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3080; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 23, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2653; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
February 23, 2012**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 465, 524, 2159, 2170 and 2255.

**ENROLLED BILLS
February 23, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 642, 646, 647, 648, 650, 651, 654, 655, 656, 657, 658, 659, 661, 663, 665, 666, 668, 669, 671, 672, 673, 674, 675, 676, 677, 678, 680, 681 and 683; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
February 23, 2012**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 642, 646, 647, 648, 650, 651, 654, 655, 656, 657, 658, 659, 661, 663, 665, 666, 668, 669, 671, 672, 673, 674, 675, 676, 677, 678, 680, 681 and 683.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
February 23, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1818, 2202, 2220, 2260, 2528, 2648, 2674, 2776, 2784, 2841, 2843, 2854, 3165, 3234, 3379, 3380, 3381, 3391 and 3549; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 1818 -- Insurance Companies, Agents, Brokers, Policies - As introduced, clarifies that utilization review may include review of admissions and procedures as the types of resources or services subject to review. - Amends TCA Title 56. by *Norris, *Tracy. (*HB1442 by *McCormick, *Pody)

Senate Bill No. 2202 -- Insurance Companies, Agents, Brokers, Policies - As introduced, revises provisions governing deposit of securities in clearing corporation. - Amends TCA Title 56, Chapter 2 and Title 56, Chapter 3. by *Norris, *Johnson. (*HB2340 by *McCormick, *Elam)

Senate Bill No. 2220 -- Public Contracts - As introduced, increases from \$75,000 to \$150,000 the dollar amount of leases that require approval by the attorney general and state building commission. - Amends TCA Section 12-2-115. by *Norris, *Ketron. (*HB2358 by *McCormick, *Harrison)

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Bill No. 2260** -- Taxes - As introduced, clarifies that a taxpayer may request the assessor to mitigate a forced assessment by reducing the forced assessment to the standard depreciated value of the taxpayer's assessable property plus 25 percent. - Amends TCA Section 67-5-1206 and Section 67-5-903. by *McNally. (HB2398 by *Lundberg)

***Senate Bill No. 2528** -- Civil Procedure - As introduced, adds physician assistants to list of medical professionals who are exempt from subpoena to trial in a civil action but who are subject to subpoena to a deposition. - Amends TCA Section 24-9-101. by *Barnes, *Faulk, *Ford. (HB2813 by *Sontany)

***Senate Bill No. 2648** -- Education - As introduced, allows county boards of education to use the county's centralized purchasing system to provide a life insurance plan for employees. - Amends TCA Title 5; Title 8 and Title 49. by *Yager, *Massey. (HB2873 by *Ragan)

Senate Bill No. 2674 -- Insurance, Health, Accident - As introduced, revises obsolete language related to independent practitioner of social work for purposes of reimbursement under medical, hospital and medical service plans and insurance by replacing it with current licensure terminology of a person duly licensed to engage in independent practice as a licensed clinical social worker. - Amends TCA Section 56-7-2401 and Section 56-7-2402. by *Faulk, *Crowe, *Harper, *Henry. (*HB2728 by *Pitts)

Senate Bill No. 2776 -- Controlled Substances - As introduced, permits county medical examiners to access the controlled substance database, absolves civil and criminal liability for authorized users acting in good faith within the proscribed limits, and establishes a presumption of good faith action where a medical examiner accesses the information for the purpose of conducting an investigation into a death or making a report as required by the duties of the position. - Amends TCA Title 38, Chapter 7; Title 39 and Title 53, Chapter 10. by *McNally, *Burks, *Crowe. (*HB2825 by *Hensley)

***Senate Bill No. 2784** -- General Assembly - As introduced, corrects references remaining in TCA to oversight committees that were abolished by Chapter 410 of the Public Acts of 2011. - Amends TCA. by *Watson. (HB3699 by *Matheny)

***Senate Bill No. 2841** -- Highway Signs - As introduced, designates segment of S.R. 18 as "National Bird Dog Highway.". by *Gresham, *Crowe, *Herron. (HB3362 by *Rich)

Senate Bill No. 2843 -- Alcoholic Beverage Commission - As introduced, allows commission to issue wholesale license to corporation that has acquired assets of a partnership or limited liability company operating in this state for 10 years if corporation has majority of its assets in Tennessee and officers actively present at licensed premises. - Amends TCA Section 57-3-203(g). by *Yager. (*HB3011 by *Todd)

***Senate Bill No. 2854** -- Environmental Preservation - As introduced, changes dates of harvest season for wild ginseng from August 15 through December 31 to September 1 through December 31 of each year; adjusts reporting requirement for ginseng dealers to reflect new start date of harvest season. - Amends TCA Title 62, Chapter 28, Part 1 and Title 70, Chapter 8, Part 2. by *Yager. (HB3156 by *Keisling)

THURSDAY, FEBRUARY 23, 2012 – FIFTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Bill No. 3165** -- Municipal Government - As introduced, extends date from July 1, 2012, to July 1, 2014, on expansion of urban growth boundaries for certain tracts of land 10 acres or smaller. - Amends TCA Section 6-58-104. by *Faulk. (HB3595 by *Lundberg)

Senate Bill No. 3234 -- Education - As introduced, extends deadline for raising matching funds for Tennessee Intercollegiate State Legislature Foundation from June 30, 2012, to December 31, 2012, by delaying reversion of existing appropriation to general fund until December 31, 2012. - Amends TCA Title 49, Chapter 3. by *Overbey, *Herron. (*HB3402 by *Lollar)

Senate Bill No. 3379 -- Sunset Laws - As introduced, extends the board of medical examiners, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 6, Part 1. by *Bell. (*HB3546 by *Cobb, *Rich)

Senate Bill No. 3380 -- Sunset Laws - As introduced, extends the board of respiratory care, June 30, 2016. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 27, Part 1. by *Bell. (*HB3547 by *Cobb, *Rich)

Senate Bill No. 3381 -- Psychologists - As introduced, authorizes instead of requires that governor select psychologist members of board of examiners in psychology from lists of nominees submitted by Tennessee Psychological Association, and select psychological examiner and senior psychological examiner board members from lists provided by Tennessee Association of Psychological Examiners and other interested psychology groups. - Amends TCA Title 4, Chapter 29 and Section 63-11-102. by *Bell. (*HB3553 by *Cobb, *Rich)

Senate Bill No. 3391 -- Dentists and Dentistry - As introduced, requires governor to consult with interested dental groups including, but not limited to, the Tennessee Dental Association, the Tennessee Dental Hygienists Association and the Tennessee Dental Assistants' Association prior to making appointments to the board of dentistry. - Amends TCA Title 4, Chapter 29 and Section 63-5-103. by *Bell, *Massey. (*HB3555 by *Cobb, *Rich)

***Senate Bill No. 3549** -- Environment and Conservation, Department of - As introduced, authorizes the air pollution control board to issue TDEC commissioner authority to grant variances for certain open burnings and emissions testing requirements. - Amends TCA Section 68-201-118. by *Crowe. (HB3765 by *Hill)

**ENROLLED BILLS
February 23, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 166; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
February 23, 2012**

The Speaker announced that she had signed the following: House Resolution(s) No(s).
166.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENROLLED BILLS
February 23, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 2405, 2545 and 2665; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
February 23, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 642, 646, 647, 648, 650, 651, 654, 655, 656, 657, 658, 659, 661, 663, 665, 666, 668, 669, 671, 672, 673, 674, 675, 676, 677, 678, 680, 681 and 683; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
February 23, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 2397 and 2653; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
February 23, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 642, 646, 647, 648, 650, 651, 654, 655, 656, 657, 658, 659, 661, 663, 665, 666, 668, 669, 671, 672, 673, 674, 675, 676, 677, 678, 680, 681 and 683; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 96

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

PRESENT IN CHAMBER

Representative(s) Pruitt was/were recorded as being present in the Chamber.

RECESS MOTION

On motion of Rep. McCormick, the House stood in recess until 5:00 p.m., Monday, February 27, 2012.